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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/824,040	04/14/2004	Kyle G. Brown	RSW920040015US1	6020

51016	7590	01/03/2008
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EXAMINER	
PHAN, MAN U	

ART UNIT	PAPER NUMBER
2619	

MAIL DATE	DELIVERY MODE
01/03/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/824,040

Applicant(s)

BROWN ET AL.

Examiner

Man Phan

Art Unit

2619

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,6-13 and 15-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 25-27 is/are allowed.
- 6) ☐ Claim(s) 1,13,15-17,23 and 24 is/are rejected.
- 7) ☒ Claim(s) 6-12 and 18-22 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment and Argument

1. This communication is in response to applicant's 10/29/2007 Amendment in the application of Brown et al. for an "mechanism for validating the message format for message channels" filed 04/14/2004. The amendment and response has been entered and made of record. Claims 2-5, 14 have been canceled per Applicant's request, and claims 1, 6-10, 13, 15-27 have been amended. Claims 1, 6-13, 15-27 are pending in the application.

2. Applicant's remarks and argument to the rejected claims are insufficient to distinguish the claimed invention from the cited prior arts or overcome the rejection of said claims under 35 U.S.C. 103 as discussed below. Applicant's argument with respect to the pending claims have been fully considered, but they are not persuasive for at least the following reasons.

3. In response to Applicant's argument that the reference does not teach or reasonably suggest the functionality upon which the Examiner relies for the rejection. The Examiner first emphasizes for the record that the claims employ a broader in scope than the Applicant's disclosure in all aspects. In addition, the Applicant has not argued any narrower interpretation of the claim limitations, nor amended the claims significantly enough to construe a narrower meaning to the limitations. Since the claims breadth allows multiple interpretations and meanings, which are broader than Applicant's disclosure, the Examiner is required to interpret the claim limitations in terms of their broadest reasonable interpretations while determining patentability of the disclosed invention. See MPEP 2111. In other words, the claims must be

given their broadest reasonable interpretation consistent with the specification and the interpretation that those skilled in the art would reach. See *In re Hyatt*, 211 F.3d 1367, 1372, 54 USPQ2d 1664, 1667 (Fed. Cir. 2000), *In re Cortright*, 165 F.3d 1353, 1359, 49 USPQ2d 1464, 1468 (Fed. Cir. 1999), and *In re American Academy of Science Tech Center*, 2004 WL 1067528 (Fed. Cir. May 13, 2004). Any term that is not clearly defined in the specification must be given its plain meaning as understood by one of ordinary skill in the art. See MPEP 2111.01. See also *In re Zletz*, 893 F.2d 319, 321, 13 USPQ2d 1320, 1322 (Fed. Cir. 1989), *Sunrace Roots Enter. Co. v. SRAM Corp.*, 336 F.3d 1298, 1302, 67 USPQ2d 1438, 1441 (Fed. Cir. 2003), *Brookhill-Wilk 1, LLC v. Intuitive Surgical, Inc.*, 334 F.3d 1294, 1298 67 USPQ2d 1132, 1136 (Fed. Cir. 2003). The interpretation of the claims by their broadest reasonable interpretation reduces the possibility that, once the claims are issued, the claims are interpreted more broadly than justified. See *In re Prater*, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-551 (CCPA 1969). Also, limitations appearing in the specification but not recited in the claim are not read into the claim. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Therefore, the failure to significantly narrow definition or scope of the claims and supply arguments commensurate in scope with the claims implies the Applicant intends broad interpretation be given to the claims. The Examiner has interpreted the claims in parallel to the Applicant in the response and reiterates the need for the Applicant to distinctly define the claimed invention.

4. Applicant's argument with respect to the rejected claims that the cited references fails to disclose or suggest the “*message queuing and forwarding systems*” as claimed. However, Hughes (US#5,982,893) is applied herein for the teaching of the processing of transaction

messages includes the step of acquiring the message (*message queuing*), analyzing the message and validating the message before the message is sent to a recipient (*forwarding message*). The Applicant's attention is directed to the Fig. 4A of US#5,982,893, in which Hughes discloses an architectural-level block diagram illustrated a system for receiving an incoming transport message from a data channel (*message queuing*), parsing a raw message into transaction messages, checking the idempotence of messages, and verifying transaction messages (*forwarding message system with validating*) before the message is sent to a recipient (Col. 10, lines 65 plus; Col. 3, lines 12 plus and Col. 24, lines 60 plus).

Since no substantial amendments have been made and the Applicant's arguments are not persuasive, the claims are drawn to the same invention and the text of the prior art rejection can be found in the previous Office Action. Therefore, the Examiner maintains that the references cited and applied in the last office actions for the rejection of the claims are maintained in this office action.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

9. Claims 13, 15 and 23-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Hughes (US#5,982,893).

With respect to claims 13, 15 and 23-24, Hughes (US#5,982,893) discloses a method of providing a message validation program comprises the step of acquiring the message, analyzing the message and validating the message before the message is sent to a recipient (See Fig. 4A; Col. 3, lines 12 plus and Col. 24, lines 60 plus). It would have been obvious to a person of ordinary skill in the art to implement a computer program product in Hughes for performing the steps and apparatus as recited in the claims with the motivation being to provide the efficient enhancement to the validating of the messages before queuing the messages, and easy to maintenance, upgrade.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

12. Claims 1 and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hughes (US#5,982,893) in view of Cimo et al. (US#2004/0030788).

With respect to claim 1, the references disclose a method and system for validating messages in a message queue before the messages are transmitted to the recipient, according to the essential features of the claims. Hughes (US#5,982,893) discloses a method of processing a transaction message includes receiving an incoming raw transport message. The raw transport message is stored in a channel interface database. A raw message identifier is generated. The raw message identifier is determined such that the raw message identifier verifiably identifies the raw message. A communications context identifier is generated. The communications context identifier is determined such that the communications context identifier verifiably identifies the raw message and the channel. The raw message is converted into a transaction message and the transaction message is validated (*the steps of analyzing the message and validating the message before the message is sent to a recipient*)(Fig. 4A; Col. 3, lines 12 plus and Col. 24, lines 60 plus).

However, Hughes does not disclose expressly the step of analyzing the message further comprises comparing the message to a validating criteria. In the same field of endeavor, Cimo et al. (US#2004/0030788) teaches a method and apparatus that validates client messages for compliance with communication protocol specifications and the data content requirements of a computer system. The system builds and uses data filters that validate client message communication protocol. Data content is validated by comparing the outputs of two computers running functionally equivalent software and receiving the same input (*the step of comparing the message to a validating criteria*)(See the Abstract and Page 8, claim1). Cimo further teaches in

Fig. 1 a schematic structure of a system for evaluating messages, and one embodiment of this system compares the outputs of two like systems running the same software and receiving the same inputs and is illustrated in Fig. 2. One system is an uncontrolled client system 201. The other is a controlled system 202 that resides between the client system and the protected computer 203. The client system 201 captures client input 204 (selections and data entry) and creates a client message 205 which is transmitted to the controlled system 202. The controlled system 202 inputs the client message 205 to the comparator 206 and the client message parser 207. The parser 207 extracts the client input from the client message and submits it to the client input processor 208. The client input processor 208 creates a controlled system message 209. The client message 205 created by the client system 201 and the controlled system message 209 created by the controlled system 202 are compared 206. If the messages are the same, the client message is passed to the protected computer 203. If they are not, they are passed to handlers 210 for further processing ([0031] plus).

Regarding claims 16-17, these claims differ from claims Hughes (US#5,982,893) in view of Cimo et al. (US#2004/0030788) in that the claims recited a computer program product for performing the same basis of steps and apparatus of the prior arts as discussed in the rejection of claim 1 above. It would have been obvious to a person of ordinary skill in the art to implement a computer program product in Hughes in view of Cimo for performing the steps and apparatus as recited in the claims with the motivation being to provide the efficient enhancement to the validating of the messages before queuing the messages, and easy to maintenance, upgrade.

One skilled in the art would have recognized the need for efficiently validating messages in a message queue before the messages are transmitted to the recipient, and would have applied Cimo's novel use of the comparing the message to a validating criteria into Hughes's teaching of the processing a transaction messages utilizing message validator. Therefore, It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to apply Cimo's computer message validation system into Hughes's system and method for processing transaction messages with the motivation being to provide a system and method for validating the message format for message channels.

Allowable Subject Matter

13. Claims 25-27 are allowable.

14. Claims 6-12 and 18-22 are objected to as being dependent upon the rejected base claims, but would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims.

15. The following is an examiner's statement of reasons for the indication of allowable subject matter: The closest prior art of record fails to disclose or suggest wherein the comparing the message header to the validating criteria step comprises: comparing a message property to a validating criteria property; and wherein the message is valid only if the message property matches the validating criteria property; wherein the comparing the message header to the validating criteria step comprises: comparing a message value to a validating criteria value; and wherein the message is valid only if the message value matches the validating criteria value; wherein the comparing the message body to the validating criteria step comprises: comparing a message type to a validating criteria type; and wherein the message is valid only if the message

type matches the validating criteria type; wherein the comparing the message body to the validating criteria step comprises: comparing a message character set to a validating criteria character set; and wherein the message is valid only if the message character set matches the validating criteria character set; wherein the comparing the message body to the validating criteria step comprises: comparing a message format to a validating criteria format; and wherein the message is valid only if the message format matches the validating criteria format, as specifically recited in the claims.

Conclusion

16. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP ' 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Phan whose telephone number is (571) 272-3149. The

examiner can normally be reached on Mon - Fri from 6:00 to 3:00.

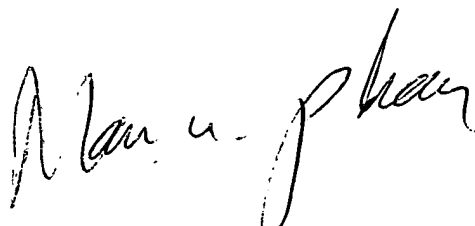
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel, can be reached on (571) 272-2988. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

18. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have any questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at toll free 1-866-217-9197.

Mphan

12/28/2007


MAN U. PHAN
PRIMARY EXAMINER